

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4: 21 CR 554 SRC / DDN
)	
KYANNA CANALES and)	
ARIEL NEVAREZ-GONZALEZ,)	
)	
Defendants.)	

ORDER AMENDING CONDITIONS OF RELEASE

Before the Court are the motions of co-defendants Kyanna Canales (Doc. 244) and Ariel Nevarez-Gonzalez (Doc. 264) for a modification of their conditions of pretrial release to allow them to marry. A hearing was held on January 19, 2022.

Defendant Nevarez-Gonzalez was released from the custody of the United States Marshals Service in the District of Arizona on October 21, 2021. One of the conditions of his release was that he not have any contact, directly or indirectly, with any co-defendant. (Doc. 88 at 1.) The same condition of release was imposed on defendant Canales, when she was released in the District of Arizona on November 10, 2021. (Doc. 185 at 1.)

Each defendant now seeks the modification of the conditions of release to allow them to marry. In response to the motions, the government filed a memorandum that described the strong constitutional right each defendant has to marry another and the government's understanding that any relevant opposing interest is not likely sufficiently compelling to limit this right to marry. (Doc. 280.) Further, the Pretrial Services Office has voiced no substantial reason under the Bail Reform Act why the co-defendants ought not to be allowed to marry.

Therefore,

IT IS HEREBY ORDERED that the motions of co-defendants Kyanna Canales (**Doc. 244**) and Ariel Nevarez-Gonzalez (**Doc. 264**) for a modification of their conditions of pretrial release to allow them to marry **are sustained on the following conditions:**

(1) each movant-defendant, at least 5 days prior to the event, must advise his or her respective Pretrial Services Officer as to (a) when and where their marriage is to occur and (b) when and where each defendant will reside after the marriage, which residence must be approved in advance by the Pretrial Services Office;

(2) hereafter each movant-defendant may have direct and indirect contact with the other, but may not discuss with the other or any other co-defendant any topic or issue relating to this case unless both of their defense counsel are present for and during any such discussion; and

(3) both movant-defendants must continue to comply with all other conditions of release imposed on them.

/s/ David D. Noce
UNITED STATES MAGISTRATE JUDGE

Signed on January 19, 2022.